

FLATHEAD COUNTY PLANNING BOARD  
COMMITTEE B  
MEETING MINUTES  
March 26, 2009

The meeting was called to order at 8:55 AM by Chairman Cross. Members in attendance were Gordon Cross, Marc Pittman and Mike Mower. BJ Grieve of FCPZ was also present.

No members of the public were present so the Public Comment Period was dispensed with.

Mr. Cross reviewed the agenda and stated that since Jeff Harris was out of town they would not review developments on ODP. Mr. Grieve said that Jeff had been handling all of that and it was better to wait for his return.

Mr. Grieve had reviewed the commercial zoning draft. He had some administrative concerns, but felt most of them could be dealt with. He was particularly concerned with the process for establishing conditional uses. The current methods are not satisfactory. There needs to be a clearer understanding of what conditions can be placed upon a use. There is also some confusion now as to whether a use can be denied and, if so, under what circumstances. He thought there was some existing language that should be included in the draft. He was going to attempt to add that by the next meeting.

George Smith of FCPZ joined the meeting to discuss the revision of the county's lakeshore regulations. He said there are only two documents in the county that govern lakeshore use. One is for Whitefish and Lost Coon lakes and the other is for all the other lakes. The first document is in the final stages of a revision that has taken several years to complete. Mr. Smith has read the new document and thinks it is a big improvement. Most of the changes involve a reorganization. Under the old document a person that wanted to build a dock, for instance, would have to look in several different sections to find all the applicable regulations. In the new version all applicable regulations would be listed under Dockbuilding. That method will result in some repetition, but be much easier to use. Mr. Smith thinks most of the controversy that surrounded the revisions has dissipated. He anticipates the new version will be adopted before summer. Once it is completed he will begin to revise the county regs so that they are organized in a similar fashion. He will also need to assure that the definitions of terms are consistent. The new county regs will also need to add some administrative permits. The current regs have too many lesser items requiring approval by the commissioners. It would be simpler if minor items could be approved administratively.

Mr. Smith also discussed enforcement issues. He is responsible for enforcement of all lakeshore and zoning violations. He currently sends out several levels of letters informing the recipient of the violation and threatening to turn the matter over to the county attorney's office. Once that happens they sit in a pile and nothing ever happens. He estimates the county now has 200 zoning violations and less than 10 lakeshore violations.

He would prefer being able to issue citations that would go through the sheriff's office and the court system. This approach is being tried in Great Falls. The county attorney here is uncertain of the authority to initiate such a system in Flathead County. Mr. Smith offered to come and discuss the issue with the Planning Board. Many of the zoning problems concern community decay issues.

The next meeting was scheduled for Thursday, April 30 at 8:30AM.

The meeting was adjourned at 10:15AM.